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# THE WILDERNESS SOCIETY

## **2001-2007 ROADLESS AREA CONSERVATION POLICY CHRONOLOGY** (as of May 2, 2007)

### **2001**

- January 12 Roadless Area Conservation Rule is published in Federal Register.
- February 5 USDA Secretary Veneman suspends implementation of Roadless Rule until May 12.
- May 10 Idaho federal district court issues preliminary injunction blocking implementation of Roadless Rule. Environmental intervenors appealed to Ninth Circuit Court of Appeals.
- June 7 Forest Service issues interim directive requiring approval by Chief of all road building and logging projects in roadless areas until forest plans are amended.
- July 10 Bush administration requests public comment on 10 questions regarding protection of roadless areas. More than 800,000 comments were submitted by the end of the public comment period.

### **2002**

- June 5 Legislation is introduced in the House of Representatives to enact the Roadless Rule, with more than 170 original cosponsors. A companion bill was introduced in the Senate on July 25.
- December 12 Ninth Circuit Court of Appeals reverses the Idaho district court decision and strongly upholds the legality of the Roadless Rule.

### **2003**

- June 12 Bush Administration announces that it will propose changes to the Roadless Rule to exempt Alaska's National Forests and grant waivers upon request of individual State governors.
- July 14 Wyoming federal district court decides that the Roadless Rule violated NEPA and the Wilderness Act and issues injunction. Environmental intervenors appealed to the 10<sup>th</sup> Circuit Court of Appeals.
- December 23 Forest Service exempts Tongass National Forest from Roadless Rule.

### **2004**

- July 12 USDA Secretary Veneman announces the Administration will propose replacing the Roadless Rule with a voluntary Governor petition process. By the end of the

comment period, more than 1.7 million comments opposed the Administration's proposal and supported retaining the Roadless Rule.

## **2005**

- May 13 Bush Administration issues final regulation repealing the Roadless Rule and replacing it with a state petition process.
- July 11 Tenth Circuit Court of Appeals dismisses appeal of the Wyoming district court decision and vacates that court decision, on grounds that the case has been made moot by the May 13 repeal of the Roadless Rule.
- August 5 Ninth Circuit Court of Appeals invalidates the Tongass National Forest management plan and remands the case to the district court to determine appropriate relief. The court decision postpones roadless area logging in the Tongass until the plan is revised.
- August 28 States of California, Oregon, and New Mexico (later joined by Washington State) file a lawsuit challenging the Bush Administration's repeal of the Roadless Rule. The states' case, along with a similar lawsuit filed by 20 environmental groups, was assigned to Magistrate Judge Elizabeth Laporte in Northern California federal district court.
- December 22 Virginia submits the first state roadless petition, requesting protection for all of the state's 380,000 acres of roadless areas. Four other states (North Carolina, South Carolina, New Mexico, and California) also petitioned for full protection of their states' roadless areas.

## **2006**

- September 20 Judge Laporte rules that the Administration illegally repealed the Roadless Rule, sets aside the State Petitions Rule, and reinstates the Roadless Rule nationwide except in the Tongass National Forest.
- September 20 Idaho submits petition allowing road building and logging in most of the state's 9.3 million acres of roadless areas.
- September 22 State of Wyoming asks Judge Brimmer for immediate reinstatement of his 2003 decision enjoining the Roadless Rule.
- September 22 Forest Service Chief issues national directive to stop roadless area activities unless consistent with the Roadless Rule (except in Tongass).
- October 4 Bush Administration revises regulations to allow continued review of state roadless area petitions by a Roadless Area Conservation National Advisory Committee (RACNAC).
- November 29 Judge Laporte issues injunction barring road construction in connection with more than 300 oil and gas leases sold since January 2001. The injunction was modified on December 28 to cover leasing activity since May 2005.

**2007**

- February 6 Judge Laporte issues final injunction, clarifying that the injunction extends to oil and gas drilling permits (as well as leases) issued since May 2005.
- April 9 Forest Service and timber industry appeal Judge Laporte's decision to the Ninth Circuit.
- April 10 Federal Register notice initiates 30-day scoping comment period on Idaho petition for state-specific rulemaking.
- April 11 Colorado Governor Ritter submits roadless petition including exemptions for ski areas, grazing, and coal mining.
- May 25 Scheduled hearing on State of Wyoming's motion to reinstate Judge Brimmer's 2003 injunction. Two prior hearings were cancelled.